

Public Notices

Description

Public notices are advertisements published in local newspapers, broadcast on local radio, or sent as mailings to announce public comment periods for EPA decisions and major project milestones. The public notice is one of the methods that EPA uses to solicit community participation. The goal of publishing a public notice is to communicate an important announcement to as many people as possible in the affected community.

Required Activity?

Yes. The NCP, at 40 CFR § 300.415(n)(1-4) requires public notices for various different types of removal actions. At 40 CFR § 300.425(d)(5) and § 300.425(e)(4), the NCP requires public notices when sites are proposed to be placed on, or deleted from the NPL. During the various stages of the Remedial Investigation and the Feasibility Study leading up to the signing of the ROD, the NCP requires public notices in the following sections: 40 CFR § 300.430(c)(5); § 300.430(f)(3)(i)(A); § 300.430(f)(3)(ii)(B); and § 300.430(f)(6). During Remedial Design and Remedial Action, the NCP requires public notices at 40 CFR § 300.435(c)(2)(i) and § 300.435(c)(2)(ii)(G). (See below).

Making it Work


When to Use


EPA **must** publish a notice when:

- A site is proposed to be added or deleted from the NPL;
- The Engineering Evaluation/Cost Analysis becomes available for public comment;
- The administrative record file and **Information Repository** become available;
- The Remedial Investigation/Feasibility Study (RI/FS) and Proposed Plan become available;
- A public comment period is held on the RI/FS and Proposed Plan;
- The remedial alternative has been selected and the ROD signed;
- An enforcement agreement is embodied in a settlement or consent decree; and
- A remedial design, action, or settlement is proposed that differs significantly from the previous design, action, or settlement already proposed and commented upon by the public.

In addition to meeting the specific legal and regulatory requirements for publishing public notices, a public notice can be used to announce:

- The beginning of the RI;
- Emergency response actions;
- The beginning of an operable unit;
- The availability of **Fact Sheets**; and
- Scheduling of **Public Comment Periods** and **Public Meetings**.

 [See Information Repository, Tab 21](#)

 [See Fact Sheets, Tab 15; Public Comment Periods, Tab 31; Public Meetings, Tab 32](#)

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How to Use

Public notices should not be used to provide updates on site progress or to inform or educate the public about specific site activities.

Public notices are only effective if they reach the intended audience. This requires that they present a simple, clear message in a conspicuous place. If a well written public notice is hidden in the classified section, it will not be reach many people. To prepare and publish a public notice that gets noticed, follow the steps described below:

- **Identify the community to reach.** Define the size and character of the community you are trying to reach before deciding how to communicate your message;
- **Identify best ways to reach community.** Identify the methods to reach your target audience by asking people how they usually get information. Include questions on media consumption habits in your initial *Community Interviews*. Consult local leaders for suggestions about the most effective publications in which to place public notices. Sometimes, a display ad in a local community newspaper or a mailing may be more appropriate than a notice in the legal section of the paper;
- **Choose appropriate media outlets.** While the law requires public notices be published in a major newspaper, large city newspapers may not appeal to segments of the population. Small communities or neighborhoods may have their own newspapers that are more widely read. Foreign-language radio can be a particularly effective method for reaching non-English-speaking communities. Choose the outlets that are most widely consulted by members of your intended audience. Remember that notices also can be published in church bulletins, community and homeowner association newsletters, and weekly newspapers and shopping guides. They can be placed in grocery stores, libraries, and other frequently visited locations in the community. In some cases, a mailing to everyone on the site mailing list can be the most effective way to notify people of an event;
- **Provide ample notice.** Provide at least a one-week notice to ensure the greatest level of participation. Try to run advertisements more than once—*e.g.*, 10 to 14 days before, one week before, and one day before the event being announced. Two weeks notice is recommended for Public Comment Periods;
- **Meet publication or broadcast schedules.** Many local or community newspapers are published on a weekly or bi-weekly basis, so you will have to plan ahead to coordinate the publication of the notice with the event. Local radio stations, may run free public service announcements if they are submitted in advance;
- **Announce dates, times, and locations clearly.** Make sure these essential facts are prominently displayed in your notice; and
- **Provide name, address, and telephone number of contact person.** For notices that announce the beginning of a RI/FS, include the location of the *Information Repository*. A clip-out coupon may be added for people to send their names and addresses to EPA to be placed on the *Mailing List*.

The EPA fact sheet *Publishing Effective Public Notices* is available at:

www.epa.gov/superfund/action/guidance/remedy/pdf/93-7808fs-s.pdf

[See Community Interviews, Tab 5](#)



[See Mailing List, Tab 23](#)



Tips

- Identify and understand the target audience for the public notice.
- Determine the best method for reaching the target audience.
- Ask how people receive their information.
- Consult local leaders.
- Select the most appropriate media outlets:
 - Printed notice (newspaper, community bulletins, flyers). Use the WordPerfect 8 templates of public notices included with this section. These templates include attractive graphics and are designed to permit you to modify the text to fit your site-specific needs;
 - Radio;
 - Television;
 - Mail; or
 - Posted flyers or posters.
- Prepare the notice:
 - Use a simple message stated in easily understood language;
 - Make it attention-getting by using an attractive design;
 - Place it in well-read sections of newspapers (*e.g.*, sports, comics);
 - Broadcast (radio or television) it at appropriate times of the day;
 - Prominently display dates, times, and locations of events;
 - Include contact names, addresses, and telephone numbers; and
 - Translate it if necessary.
- Plan ahead for publication or broadcast schedules.

Related Tools/Resources in the Toolkit

- [Fact Sheets, Tab 15](#)
- [Information Repository, Tab 21](#)
- [Mailing List, Tab 23](#)
- [Media, Tab 25](#)
- [Presentations, Tab 29](#)
- [Public Comment Periods, Tab 31](#)
- [Public Meetings, Tab 32](#)
- [Translation Services, Tab 43](#)



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